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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,787	06/30/2003	Jeremy L. Rover	42P17060	1313

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EXAMINER	
WANG, LIANG CHE A	

ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/611,787	ROVER ET AL.	
	Examiner	Art Unit	
	Liang-che Alex Wang	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 June 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *5/9/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-27 are presented for examination.

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/12/2007 has been entered.

Paper Submitted

3. It is hereby acknowledged that the following papers have been received and placed of record in the file:

    a. **Information Disclosure Statement** as received on 5/09/2007 is considered.

Response to Arguments

4. Applicant's arguments filed 6/18/2007, have been fully considered but they are not persuasive.

5. In that remarks, applicant's argues in substance:

    a. That: Wiedeman does not disclose "a network resource wrapper" as recited in claims 1, 16 and 22.

        This is found not persuasive because Wiedeman teaches the added limitation, "wherein the network component (SUT) is associated with a network

resource wrapper (switch file)(Col 2 lines 50-57, switch file is associated with SUT), the network resource wrapper to provide a machine accessible and standardized description of the network component (Col 2 lines 50-57, switch file provides information for SUT to connect to VLANs, which corresponds to" a machine accessible and standardized description of the network component")";

b. That: Nothing in Wiedeman suggests that a network resource can be configured by programmatically altering the state of the switch file.

In response to applicant's argument, Wiedeman teaches programmatically altering at least one of the network resource wrapper (Col 2 lines 44-46, switch file updated corresponds to network resource wrapper altered) to configure at least one network component (SUT is reboot and reconnected in responsive to the updated switch file Col 2 lines 44-47);

Updated rejection is provided below.

Claim Objections

6. Claims 1-27 are objected to because of the following informalities:
7. Claims 1, 16, and 22 recite the limitation of "a list network interface", should be changed to "a list of network interfaces".
8. All dependent claims are objected to as having the same deficiencies as the claims they depend from.
9. Appropriate correction is required.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 1-27 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. Claims 1, 16, and 22 recite the limitation "...the functionality ... " in line 10, 11 and 10 respectively. There is insufficient antecedent basis for this limitation in the claim. It is unclear what "the functionality of an associated network component" is defined.

13. All dependent claims are rejected to as having the same deficiencies as the claims they depend from.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15. Claims 1, 3, 5-10, 13, 15, 16, 19-22, 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Wiedeman et al., US Patent Number 6,651,093, hereinafter Wiedeman.

16. Referring to claim 1, Wiedeman teaches a method of changing a network location of a network component (Col 2 lines 44-45, 50-54, Col 5 lines 43-44, Col 6 lines 1-21) comprising:

    a. programmatically (Col 6 line 1, a connect command) interrupting a link (Col 6 lines 9-12) between the network component (SUT) and a network (default VLAN) (Col 5 line 62-Col 6 line 5, a connection command caused SUT to time out, connection is lost between SUT and default VLAN), wherein the network component (SUT) is associated with a network resource wrapper (switch file)(Col 2 lines 50-57, switch file is associated with SUT), the network resource wrapper to provide a machine accessible and standardized description of the network component (Col 2 lines 50-57, switch file provides information for SUT to connect to VLANs, which corresponds to" a machine accessible and standardized description of the network component");

    b. changing the network (default VLAN to indicated VLAN) to which the network component is linked (Col 6 lines 17-19), wherein the network includes a plurality of network components (figure 8 and 9, the network includes a plurality of SUTs); and at least some of the network components having an associated network resource wrapper (Col 2 lines 50-57, switch file is associated with SUT), each network resource wrapper (figure 6B) to provide a machine accessible and standardized description of the functionality of an associated network components (Col 2 lines 50-57, switch file provides information for SUT to connect to VLANs, which corresponds to" a machine accessible and standardized description

of the network component") including a list of network interfaces (figure 5 shows a list of network interfaces), wherein changing network includes programmatically altering at least one of the network resource wrapper (Col 2 lines 44-46, switch file updated corresponds to network resource wrapper altered) to configure at least one network component (SUT is reboot and reconnected Col 2 lines 44-47); and

c. establishing a link between the network component and the changed network (indicated VLAN, Col 6 lines 19-20).

17. Referring to claim 3, Wiedeman teaches the method of claim 1, wherein programmatically interrupting the link between the network component and the network comprises: interrupting a confirmation signal from a cable that connects the network component to the network (Col 6 lines 8-12).

18. Referring to claim 5, Wiedeman teaches the method of claim 1, wherein programmatically interrupting the link between the network component and the network comprises: opening a switch that connects the network component to the network (Col 6 lines 17-21).

19. Referring to claim 6, Wiedeman teaches the method of claim 1, wherein changing the network to which the network component is linked comprises: programmatically disassociating the network component from a first network (Col 6 lines 1-5, default VLAN); and programmatically associating the network component with a second network (Col 6 lines 18-21, indicated VLAN).

20. Referring to claim 7, Wiedeman teaches the method of claim 1, wherein changing the network to which the network component is linked comprises: programmatically reconfiguring the network (Col 5 line 62- Col 6 line 21, switch file is updated).

21. Referring to claim 8, Wiedeman teaches the method of claim 7, wherein programmatically reconfiguring the network comprises: programmatically configuring a Virtual Local Area Network (VLAN) switch to include the network component in a VLAN of the VLAN switch (Col 4 lines 35-53).

22. Referring to claim 9, Wiedeman teaches the method of claim 7, wherein programmatically reconfiguring the network comprises: programmatically configuring a router (item 104) to associate a network interface with the network component (figure 1, Col 5 line 62- Col 6 line 21).

23. Referring to claim 10, Wiedeman teaches the method of claim 7, wherein programmatically reconfiguring the network comprises: programmatically configuring a Dynamic Host Configuration Protocol (DHCP) server to associate a network interface with Internet Protocol (IP) address information (Col 1 lines 50-55).

24. Referring to claim 13, Wiedeman teaches the method of claim 1, wherein establishing the link between the network component and the changed network comprises: providing a confirmation signal to a cable that connects the network component to the network (Col 6 lines 1-21).

25. Referring to claim 3, Wiedeman teaches the method of claim 1, wherein establishing the link between the network component and the changed network comprises: closing a switch that connects the network component to the network (Col 6 lines 1-21).

26. Referring to claim 16, Wiedeman teaches a system comprising:

a. a network component (SUT) to connect with a network (default VLAN)(Col 5 lines 43-44), wherein the network component (SUT) is associated with a network resource wrapper (switch file)(Col 2 lines 50-57, switch file is associated with SUT), the network resource wrapper to provide a machine accessible and standardized description of the network component (Col 2 lines 50-57, switch file provides information for SUT to connect to VLANs, which corresponds to" a machine accessible and standardized description of the network component"); and

b. a node (system 401) to change the location of the network component (Col 5 lines 63-64), the node having a processor and logic executable thereon to

interrupt a link (Col 6 lines 9-12) between the network component (SUT) and a network (default VLAN) (Col 5 line 62-Col 6 line 5, a connection command caused SUT to time out, connection is lost between SUT and default VLAN); change the network (default VLAN to indicated VLAN) to which the network component is linked (Col 6 lines 17-19) wherein the network includes a plurality of network components (figure 8 and 9, the network includes a plurality of SUTs); and at least some of the network components having an associated network resource wrapper (Col 2 lines 50-57, switch file is associated with SUT), each network resource wrapper (figure 6B) to provide a machine accessible and standardized description of the functionality of an associated network components (Col 2 lines 50-57, switch file provides information for SUT to connect to

VLANs, which corresponds to" a machine accessible and standardized description of the network component") including a list of network interfaces (figure 5 shows a list of network interfaces), wherein changing network includes programmatically altering at least one of the network resource wrapper (Col 2 lines 44-46, switch file updated corresponds to network resource wrapper altered) to configure at least one network component (SUT is reboot and reconnected Col 2 lines 44-47); and establish a link between the network component and the changed network (indicated VLAN, Col 6 lines 19-20).

27. Referring to claim 17, Wiedeman teaches the system of claim 16, further comprising: a hub (CAT) to provide the link between the network component (SUT) and the network VLAN); and wherein the node having the processor and logic executable thereon to interrupt the link between the network component and the network comprises the node having logic executable thereon to power down the hub that provides the link between the network component and the network.

28. Referring to claim 19, Wiedeman teaches the system of claim 16, wherein the node having a processor and logic executable thereon to change the network to which the network component is linked comprises the node having logic executable thereon to: programmatically disassociate the network component from a first network (Col 6 lines 1-5, default VLAN); and programmatically associate the network component with a second network (Col 6 lines 18-21, indicated VLAN).

29. Referring to claim 20, Wiedeman teaches the system of claim 16, wherein the node having a processor and logic executable thereon to change the network to which the

network component is linked comprises the node having logic executable thereon to: programmatically reconfigure the network (Col 5 line 62- Col 6 line 21, switch file is updated).

30. Referring to claim 21, Wiedeman teaches the system of claim 20, wherein the node having a processor and logic executable thereon to programmatically reconfigure the network comprises the node having logic executable thereon to: programmatically configure a Virtual Local Area Network (VLAN) switch to include the network component in a VLAN of the VLAN switch (Col 4 lines 35-53).

31. Referring to claims 22, 25-27 claims 22, 25-27 encompass the same scope of the invention as that of the claims 16, 19-21. Therefore, claims 22, 25-27 are rejected for the same reason as the claims 16, 19-21.

Claim Rejections - 35 USC § 103

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

33. Claims 2, 11, 12, 17, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiedeman in views of Taylor et al., US Publication Number 2002/0065919A1. hereinafter Taylor

34. Referring to claim 2, 11, 12, 17 and 23, Wiedeman teaches the invention as described in claims 1, 7, 16 and 22.

Wiedeman does not teach the system is a second node thereon to power down and up a hub that links the first node and the changed network.

Taylor teaches a control server's ability to reset power and reboot any device through the intelligent power supply in the evens of a hardware or software problem (page 8 [0132-0137]).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the control server of Taylor to Wiedeman, so Wiedeman with the control server could remotely power down and power up devices in his system because both Wiedeman and Taylor teaches system control and configuration in a VLAN.

A person with ordinary skill in the art would have been motivated to make the modification to Wiedeman because having a remote control server to reset devices in a network could reduce the necessity for service visits to the devices which is designed to operate with a minimum of human intervention as taught by Taylor (page 8 [0137]).

35. Claims 4, 14, 16, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiedeman in views of Stewart et al., US Patent Number 6,732,176, hereinafter Stewart.

36. Referring to claims 4 and 14, Wiedeman teaches the network component is disconnected to a network, and reconnected to another network as described in claim 1 (Col 6 lines 1-21).

Wiedeman does not teach access points that connect the network component to the network.

Stewart teaches access points couple through VLAN (Col 9 lines 28-47, Col 9 line 65- Col 10 line 2).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the access point of Stewart to Wiedeman, because both Wiedeman and Stewart teaches network devices connecting to network through VLAN.

A person with ordinary skill in the art would have been motivated to make the modification to Wiedeman because it would allow a plurality of service providers to utilize a common set of access points to provide service to a potentially overlapping set of customers as taught by Stewart (Col 1lines 55-66).

37. Referring to claims 16 and 24, claims 16 and 24 encompass the same scope of the invention as that of the claims 4 and 14. Therefore, claims 16 and 24 are rejected for the same reason as the claims 4 and 14.

Conclusion

38. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

39. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

40. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
June 26, 2007